

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 10/552,601 Filed/Issue Date: October 5, 2005

Entitled: Method and Apparatus for Shared Multi-Bank Memory

Agere Systems Inc., a Corporation
(Name of Assignee) (Type of Assignee e.g. corporation partnership university government agency etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1 From: Inventors To: Terablaze, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 014241, Frame 0363, or for which a copy thereof is attached.

2 From: Terablaze, Inc. To: Agere Systems Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached

3 From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Kevin M. Mason
Signature

January 4, 2007
Date

Kevin M. Mason - Reg. No. 36,597
Printed or Typed Name

203-255-6560
Telephone Number

Attorney for Applicant(s)
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

Execution Copy

AGREEMENT AND PLAN OF MERGER
BY AND AMONG
AGERE SYSTEMS INC.,
AGERE SYSTEMS ACQUISITION LLC,
TERABLAZE, INC.
AND
EACH OF THE STOCKHOLDERS SIGNATORY HERETO

Dated as of December 31, 2003

3.13 Intellectual Property; Software.

(a) Schedule 3.13(a) contains a list and brief description of all Intellectual Property Rights.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have duly executed this Agreement as of the date first above written

AGERE SYSTEMS INC

By: Paul Bento
Name: Paul Bento
Title: VP

AGERE SYSTEMS ACQUISITION LLC

By: Agere Systems Inc.,
its sole member

By: Paul Bento
Name: Paul Bento
Title: VP

TERABLAZE, INC

By: _____
Name:
Title:

as Stockholders' Representative

By: _____
Name:
Title:

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have duly executed this Agreement as of the date first above written.

AGERE SYSTEMS INC.


By: _____
Name:
Title:

AGERE SYSTEMS ACQUISITION LLC

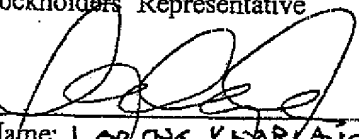
By: Agere Systems Inc.,
its sole member

By: _____
Name:
Title:

TERABLAZE, INC.

By:  _____
Name: SHANKAR R. MUKHERJEE
Title: President

LORING KNOBLAUCH
as Stockholders' Representative

By:  _____
Name: LORING KNOBLAUCH
Title: GENERAL PARTNER
BAM PARTNERS

Preferred Stockholders

BAY III, L.P.

By: Bay Management Company 2000, LLC,
its General Partner

By:  _____

Name:

Title:

BAY III ENTREPRENEURS FUND, L.P.

By: Bay Management Company 2000, LLC,
its General Partner

By:  _____

Name:

Title:

THE GOLDMAN SACHS GROUP, INC.

By: _____

Name:

Title:

[Signature Page to Merger Agreement]

Preferred Stockholders

BAY III, L.P.

By: Bay Management Company 2000, LLC,
its General Partner

By: _____
Name: _____
Title: _____

BAY III ENTREPRENEURS FUND, L.P.

By: Bay Management Company 2000, LLC,
its General Partner

By: _____
Name: _____
Title: _____

THE GOLDMAN SACHS GROUP, INC.

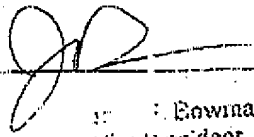
By: _____
Name: *John E. Bowman*
Title: *Attorney in Fact*

[Signature Page to Merger Agreement]

1 5486000v7

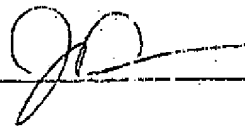
STONE STREET FUND 2000, L.P.

By: Stone Street 2000, L.L.C.,
its General Partner

By: 
Name: _____
Title: _____
John H. Bowman
Vice President

GOLDMAN SACHS DIRECT INVESTMENT
FUND 2000, L.P.

By: GS Employee Funds 2000 GP, L.L.C.,
its General Partner

By: 
Name: _____
Title: _____
John H. Bowman
Vice President

[Signature Page to Merger Agreement]

14 T 548600N7

Schedule 3.13(a)

TeraBlaze, Inc. Patent Applications:

Title: Switching Fabric Architecture
Matter No. TERA 1000-1US
Provisional Application Expired

Gray Cary\PA\10336248.4
2101872-3

Application #: 60/362,144

Description: A Cashmere Fabric is a modular switch fabric built from identical Cashmere Modules. Fabric with 16 to 128 10-Gbps ports and various topologies can be built with Cashmere Modules. Using the companion Pachmina IC, five such fabrics can be connected in parallel to build fabrics with 16 to 128 40-Gbps ports with 1:4 redundancy. Accordingly, TeraBlaze fabrics range in throughput from 160 Gbps to 512 Tbps. Blocking architecture with a larger throughput can also be designed.

Title: Striping Algorithm for Switching Fabric

Matter No. TERA 1000-2US

Utility Application Pending

Application #: 10/269,928

Description: The invention relates to packet-based switching fabrics, and more particularly to a load balancing method and apparatus for selecting an appropriate next-stage module for transmission of data packet in the presence of multicast capability.

Title: Deficit-based Striping Algorithm

Matter No. TERA 1001-2US

Utility Application Pending

Application #: 10/270,264

Description: The invention relates to packet-based switching fabrics, and more particularly to a load balancing method and apparatus for selecting an appropriate next-stage module for transmission of data packet of variable size.

Title: Backpressure Mechanism for Switching Fabric

Matter No. TERA 1002-1US

Utility Application Pending

Application #: 10/358,678

Description: The invention relates to switching fabrics, and more particularly to a flow control method and apparatus for fairly allocating the bandwidth capacity of the fabric to multiple input flows.

Title: Method and Apparatus for Shared Multi-Bank Memory

Matter No. TERA 1003-1US

Provisional Application Pending

Application #: 60/464,462

Description: The invention relates to packet-based switching fabrics, and more particularly to apparatus and methods for efficiently switching data packets through a central shared buffer memory.

Title: Method and Apparatus for Shared Multi-Bank Memory

Matter No. TERA 1003-1US

Utility Application in draft

Description: The invention relates to packet-based switching fabrics, and more particularly to apparatus and methods for efficiently switching data packets through a central shared buffer memory